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**Judge Fines Panama City Boat Rental Company and Operator \$4,500
for Illegally Feeding Dolphins**

Panama City, Fla. -- Federal Administrative Law Judge Parlen McKenna upheld a \$4,500 fine against Panama City boat rental company and its boat operator for illegally feeding wild dolphins. The incident occurred during a June 1998 excursion off Panama City's Shell Island and nearby jetty, a destination popular with residents and tourists for feeding the local dolphin population, the federal National Oceanic and Atmospheric Administration said today.

NOAA charged Hathaway's Boat Rentals, Inc. and vessel captain Thomas E. Rainelli, with five counts of harassing or attempting to harass wild dolphins by feeding or attempting to feed the animals cigar minnows during a June 17, 1998 parasail boat trip. Hathaway's Boat Rentals, Inc. also sold the minnows that were used to feed the dolphins.

Ruling from the bench Judge McKenna called the charges "serious," and upheld the NOAA charges and requested sanction of \$4500. The judge also ordered Hathaway's Boat Rentals, Inc. to post a federal "no dolphin feeding" sign and a poster on the grounds and counter of its facility. The Hathaway's Boat Rentals, Inc. and Rainelli may divide the payment of the \$4,500 penalty as they choose.

In addition, the judge found that Rainelli was operating under a U.S. Coast Guard license, and as such, charges will be brought against him in a separate proceeding for these violations since he was acting under the authority of his Coast Guard license.

"We are pleased that the charges were upheld and with the sanctions imposed by Judge McKenna," said Karen Antrim Raine, NOAA attorney in charge of the prosecution. "This case sends a strong message that it is a federal violation to feed wild dolphins. The Florida Marine Patrol did an outstanding job in making this case, and we are extremely appreciative of NOAA Law Enforcement for its investigation and NOAA's Office of Protected Resources for its support."

(More)

NOAA attorneys originally charged a total of \$5,000 against four parties involved in the June 17, 1998 violation, but dismissed the case against Tropical Parasail and settled with boat crew member Chanti Hance for \$500. Hathaway's Boat Rentals, Inc. and Thomas Rainelli chose not to settle and pursued the option of the civil hearing. The two parties have the option to appeal the ruling.

"We hope that commercial operators who take tourists out to view wild dolphins will do so responsibly by keeping a safe distance of 50 yards from the animals and by supporting the law prohibiting dolphin feeding," said Ann Terbush, chief of the Permits Division in the Office of Protected Resources for NOAA's National Marine Fisheries Service. "For several years, we have included local communities in Florida, particularly Panama City, in our education campaign to prevent harassment and feeding of wild dolphins. Since most tourists do not know about marine mammal protection laws or how to view wildlife appropriately, it is imperative that professional tour guides and businesses abide by law and educate their patrons."

NOAA's National Marine Fisheries Service is an agency of the Commerce Department. NOAA Fisheries is dedicated to protecting and preserving our nation's living marine resources through scientific research, management, enforcement, and the conservation of marine mammals and other protected marine species and their habitat.

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